



CITY COUNCIL

Public Safety Committee

Monday, July 6, 2009

5:00 p.m.

Attendance: D. Sterner, M. Goodman-Hinnershitz, S. Marmarou

Other City Staff Attending: L. Kelleher, C. Hemnitz, B. Pease, H. Brown, R. Schafer, B. Reinhart

Dennis Sterner, Chair, called the meeting to order at 5:50 p.m.

Trucks, Tractors, RV Parking Ordinance Amendment

Mr. Sterner stated that the Zoning Office requested an amendment to this ordinance as the Zoning Ordinance allows property owners to apply to have a large parking pad on their properties, which seems to conflict with this prohibition.

Ms. Kelleher stated that representatives from the Zoning and Police offices met with her to discuss the proposed amendment. The draft attached is the result of that meeting. The draft allows RVs and Mobile Homes less than 24 feet in length and 12,000 GVW to park on private property after receiving either a temporary permit or an exception from the Police Department.

Ms. Goodman-Hinnershitz suggested adding a permit fee to cover the administrative expenses of the permit. Ms. Sterner suggested adding language to clarify the Chief's ability to determine the period of time the temporary permit will be operational. Ms. Kelleher was asked to make the amendments to the draft ordinance and place it on the Work Session Agenda for Council review.

Graffiti

Ms. Goodman-Hinnershitz noted the continued problem with graffiti and the need for improved tracking. She also noted that property owners are under the impression that they can be fined for failing to remove graffiti in a timely fashion. She noted the need for improved public education about the terms of the ordinance.

Mr. Marmarou expressed the belief that the names of adults convicted of graffiti crimes should be publicized.

Ms. Goodman-Hinnershitz inquired if victims can attend the hearings for juveniles charged with graffiti crimes. Captain Shafer stated that victims are encouraged to attend hearings as witnesses.

Ms. Goodman-Hinnershitz noted the need for improved enforcement of parental responsibility for graffiti crimes. Captain Shafer described the processes used to adjudicate graffiti crime under the State and local laws. He also reported that the property owners are not fined for failing to remove graffiti from their properties. He explained that the ordinance requires notification to the property owner that the City will abate the graffiti.

Ms. Goodman-Hinnershitz reported the increase of graffiti on Met-Ed and post office property. Mr. Marmarou noted Mr. Harrity's work with the County to undertake graffiti prevention and abatement activities. Captain Shafer reported on the coordination and photography of graffiti and tags that is used to build cases against graffiti criminals.

Animal Control Ordinance Amendment

Mr. Pease and Mr. Brown from the Animal Rescue League and the Animal Control Board stated that the Board has been working to review and prepare an amendment to the City's Animal Control Ordinance. The amendment addresses the change of animal control agents, amends the aggressive animal regulations and adds regulations on the number of pets per household.

Mr. Pease described the complaints received about the care and maintenance of pets. He explained that these complaints caused the Board to recommend language that limits the number of pets per household. He stated that this limitation addresses the safety and welfare of animals and the safety and welfare of Reading residents. He added that the Board will next begin to discuss a program that will address feral cats.

Mr. Brown explained that without local limitations the State's regulation of allowing up to 25 pets per household exists. He stated that people having 26 or more pets must apply for a kennel license. He added that this new regulation will allow the inspection of a property to determine if the property can safely handle more than six (6) pets. He noted that recently 22 dogs were removed from a row home in the East Reading area.

Mr. Marmarou inquired how this regulation will be enforced. Mr. Pease stated that it is hoped that people having more than 6 pets will apply for a permit. Those that do not will be addressed via complaint.

Mr. Pease stated that similar ordinances are currently in place in Sinking Spring, Wyomissing, Shillington, Allentown, Bethlehem, Lancaster and Harrisburg. The draft before the Committee is a compilation of those ordinances.

Mr. Sterner suggested adding an application period to the ordinance. Mr. Pease expressed the belief that an application period would be difficult to manage. Everyone agreed that the enforcement of this ordinance will be based on complaint.

Captain Shafer suggested adding language to define a compliance period for permits that are denied. He stated that this would hamper the ability of people to shift animals to alternate locations. Mr. Brown agreed.

Mr. Pease stated that the amended ordinance allows the Police and animal control agent to enter and inspect properties. He also agreed that the enforcement of this ordinance will be complaint based and will help reduce quality of life problems.

Mr. Sterner noted the need for an application form to be made available when the ordinance is adopted.

Mr. Pease stated that the new Aggressive Dog language provides focus on the single animal/dog that attacks. The new language requires the single dog to acquire a special permit and tag. The new language also adds an appeal process.

Mr. Sterner questioned allowing the quarantine of the animal at the home of the owner. Mr. Brown replied that the quarantine regulations are set at the State level. The State regulations allow the Police Officer or the animal control agent to determine the location where the animal shall be quarantined. Ms. Kelleher noted the need to change the Health Code and the Animal Control Ordinance to mirror the State regulations.

Mr. Sterner noted the need to coordinate the animal bite reports. Ms. Kelleher stated that she learned that the bite reports are not well coordinated when she obtained the bite report from the State; some bites were double reported and some were not reported at all. Everyone agreed that the City's Health Officer should obtain all bite reports and report up to the State. Mr. Pease noted the need for Dr. Hassel to coordinate with the area hospitals and medical centers. He suggested meeting annually with Dr. Hassel to go over the bite report.

Mr. Pease explained that the amended Animal Control Ordinance also creates a \$75 fee for an Exotic Pet permit. He explained that the fee will cover the administrative expenses of administering this process.

The Public Safety Committee thanked the Animal Control Board for their diligence and hard work to bring the amendments forward. Mr. Pease stated that the group will begin working on a Trap Neuter Release program that will effectively address the feral cat problems.

Ms. Goodman-Hinnershitz noted the need for good public education on the Animal Control Ordinance and the work of the Animal Rescue League. Mr. Pease described the Animal Rescue

League's work to produce public education pieces. Ms. Kelleher offered to assist in developing a brochure on the Animal Control Ordinance.

Codes Ticketing

Mr. Reinhart stated that he and IT will be attending a webinar hosted by a company that offers software and support for the codes ticketing program used in Lancaster. He described his work to review the programs in place in Lancaster and Allentown and the different software applications available. He stated that he is unsure at this time if IT will be able to support an in-house program.

Mr. Sterner noted that the ticketing program was supposed to be up and running by August 1. He inquired if Mr. Reinhart will have the program started by August 1. Mr. Reinhart stated that he will not have the program in place by August 1. He stated that the ticketing program will require the addition of data entry personnel.

Mr. Hottenstein arrived at the meeting.

Mr. Sterner inquired if the tickets can be appealed. Mr. Reinhart replied that the tickets can be appealed to the Codes Administrator, then to the MDJ. He stated that in Allentown the number of tickets appealed is minimal. Ms. Kelleher noted that the overall number of cases appealed to the Allentown and Lancaster MDJs is less than in Reading. Mr. Reinhart expressed that as the ticketing system fines would be less than the citation charges, more people would pay rather than appeal.

Mr. Sterner requested an update on the ticketing program in August.

Vehicle/Muffler Noise

Mr. Sterner stated that he has received many complaints about vehicle and muffler noise. He inquired how the Police Department addresses these complaints. Captain Shafer stated that the local noise ordinance is used to avoid the decimeter requirements required by the State legislation. Ms. Kelleher noted that the section on motor vehicle noise refers the reader to the State Act 157 which required the use of a decimeter.

Captain Shafer stated that each noise complaint is handled on a case by case basis. He stated that if the noise ends before the police arrive they can file charges based on the statement of witnesses. He noted that the witness would need to be willing to attend a court hearing if one occurred.

Mr. Sterner asked Captain Shafer where noise complaints should be referred to. Captain Shafer stated that noise complaints should be turned in to the Desk Sergeant as they occur or through the Chief's office if the complaint is delayed.

Ms. Goodman-Hinnershitz inquired if the noise ordinance is applied if citizens are found using fireworks. Captain Shafer stated that individuals found with fireworks are charged under the State legislation. He also noted that extra patrols are used on the 4th of July to handle the additional complaints of fireworks.

The Public Safety Committee meeting adjourned at 7:10 p.m.

*Respectfully submitted by
Linda A. Kelleher CMC, City Clerk*

Issues for Follow-Up:

- List of tenants and landlords receiving DCRs - Sept
- List of property owners without rental permits – July Work Session
- Enforcement of 800 foot rule for student rentals - Sept
- Codes ticketing system - August
- Review Vacant Property Registration Ordinance - August
- Graffiti Enforcement - Monthly
- Vehicle/Muffler Noise - August
- Review DCR Amendment – creation of Level 1 and Level 2 DCRs - August